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SENATE BILL 375

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO TAXATION; CHANGING ONE ELECTION CONDITION FOR A  
CERTAIN COUNTY HEALTH MILL LEVY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-38-17.1 NMSA 1978 (being Laws 2004,  
Chapter 113, Section 1) is amended to read:

"4-38-17.1. TAX LEVIES AUTHORIZATION--PROCEDURES--HEALTH  
PURPOSES.--

A. A board of county commissioners may adopt a  
resolution to submit to the qualified electors of the county  
the question of whether a property tax at a rate not to exceed  
the rate specified in the resolution should be imposed upon the  
net taxable value of property allocated to the county under the  
Property Tax Code for the purpose of providing health care to  
sick and indigent persons in the county.

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1           B. The resolution shall specify the rate of the  
2 proposed tax, which shall not exceed one dollar fifty cents  
3 (\$1.50) on each one thousand dollars (\$1,000) of net taxable  
4 value of property allocated to the county under the Property  
5 Tax Code and shall:

6           (1) specify the date of the election at which  
7 the question of imposition of the tax to the qualified electors  
8 of the county shall be held, which may be a general election or  
9 a special election called for that purpose, except that the  
10 election may not be held [~~within one year of~~] on the same  
11 ballot as an election held pursuant to Section 4-48B-15 NMSA  
12 1978; and

13           (2) limit the imposition of the proposed tax  
14 to no more than eight years.

15           C. The question shall be voted upon as a separate  
16 question and shall be called, conducted and canvassed in  
17 substantially the same manner as provided by law for general  
18 elections. Upon certification, copies of the election shall be  
19 mailed immediately to the department of finance and  
20 administration and the taxation and revenue department.

21           D. For purposes of this section, "county" means a  
22 class B county with a population of no less than forty-one  
23 thousand and no more than forty-five thousand according to the  
24 last federal decennial census.

25           E. The mill levy authorized in this section is not

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1 subject to the rate limitation provisions of Section 7-37-7.1  
2 NMSA 1978 and shall not be used to meet a county's obligations  
3 pursuant to Section 27-10-4 NMSA 1978. "

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